### Case 19-15213-amc Doc 44 Filed 02/15/20 Entered 02/16/20 00:52:28 Desc Imaged Certificate of Notice Page 1 of 4

United States Bankruptcy Court Eastern District of Pennsylvania

In re: William R. Yellets Linda J. Yellets Debtors

Case No. 19-15213-amc

Chapter 13

### CERTIFICATE OF NOTICE

District/off: 0313-4 User: PaulP Page 1 of 1 Date Rcvd: Feb 13, 2020

Form ID: pdf900 Total Noticed: 1

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 15, 2020.

db/jdb +William R. Yellets, Linda J. Yellets, PO Box 313, Macungie, PA 18062-0313

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center. NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

TOTAL: 0 NONE.

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 15, 2020 Signature: /s/Joseph Speetjens

#### CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 13, 2020 at the address(es) listed below:

JOSEPH L QUINN on behalf of Joint Debtor Linda J. Yellets CourtNotices@rqplaw.com on behalf of Debtor William R. Yellets CourtNotices@rqplaw.com JOSEPH L QUINN REBECCA ANN SOLARZ on behalf of Creditor Ditech Financial LLC bkgroup@kmllawgroup.com

ROLANDO RAMOS-CARDONA on behalf of Trustee SCOTT F. WATERMAN (Chapter 13)

ecfmail@readingch13.com

SCOTT F. WATERMAN (Chapter 13) ECFMail@ReadingCh13.com

SCOTT F. WATERMAN (Chapter 13) on behalf of Trustee SCOTT F. WATERMAN (Chapter 13)

ECFMail@ReadingCh13.com

USTPRegion03.PH.ECF@usdoj.gov United States Trustee

WILLIAM EDWARD CRAIG on behalf of Creditor Santander Consumer USA Inc.

 $\verb| ecfmail@mortoncraig.com|, & mhazlett@mortoncraig.com|; & mortoncraigecf@gmail.com| \\$ 

TOTAL: 8

# IN THE UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

Linda J. Yellets fka Linda J. Artis fka Linda

Heemstra fka Linda Vandegraaf

William R. Yellets

**Debtors** 

Ditech Financial LLC

NO. 19-15213 AMC

11 U.S.C. Section 362

CHAPTER 13

Movant

VS.

Linda J. Yellets fka Linda J. Artis fka Linda

Heemstra fka Linda Vandegraaf

William R. Yellets

Debtors

Scott F. Waterman, Esquire

<u>Trustee</u>

## **STIPULATION**

AND NOW, it is hereby stipulated and agreed by and between the undersigned as follows:

 The post-petition arrearage on the mortgage held by the Movant on the Debtor's residence is \$4,711.62 which breaks down as follows;

Post-Petition Payments:

October 2019 to February 2020 at \$746.77/month

Suspense Balance:

\$53.23

Fees & Costs Relating to Motion:
Total Post-Petition Arrears

\$1,031.00 **\$4,711.62** 

- 2. The Debtor shall cure said arrearages in the following manner:
- a). Within seven (7) days of the Court approving this Stipulation, the Debtor shall make a down payment in the amount of \$746.77;
- b). Within seven (7) days of the filing of this Stipulation, Debtor shall file an Amended Chapter 13 Plan to include the post-petition arrears of \$3,964.85.
- c). Movant shall file an Amended or Supplemental Proof of Claim to include the post-petition arrears of \$3,964.85 along with the pre-petition arrears;
- d). The new 410A form for a Proof of Claim shall not be required for this Amended or Supplemental Proof of Claim.
- Beginning with the payment due March 1, 2020 and continuing thereafter, Debtor shall pay to Movant the present regular monthly mortgage payment of \$746.77 (or as adjusted

Case 19-15213-amc Doc 44 Filed 02/15/20 Entered 02/16/20 00:52:28 Page 3 of 4 Certificate of Notice

> pursuant to the terms of the mortgage) on or before the first (1st) day of each month (with late charges being assessed after the 15th of the month).

- 4. Should Debtor provide sufficient proof of payments made, but not credited (front & back copies of cancelled checks and/or money orders), Movant shall adjust the account accordingly.
- 5. In the event the payments under Section 3 above are not tendered pursuant to the terms of this stipulation, Movant shall notify Debtor and Debtor's attorney of the default in writing and the Debtor may cure said default within FIFTEEN (15) days of the date of said notice. If Debtor should fail to cure the default within fifteen (15) days, Movant may file a Certification of Default with the Court and the Court shall enter an Order granting Movant immediate relief from the automatic stay and waiving the stay provided by Bankruptcy Rule 4001(a)(3).
- If the case is converted to Chapter 7, Movant shall file a Certification of Default with the Court and the Court shall enter an order granting Movant relief from the automatic stay.
- If the instant bankruptcy is terminated by either dismissal or discharge, this agreement shall be null and void, and is not binding upon the parties.
- The provisions of this stipulation do not constitute a waiver by Movant of its right to 8. seek reimbursement of any amounts not included in this stipulation, including fees and costs, due under the terms of the mortgage and applicable law.
  - 9. The parties agree that a facsimile signature shall be considered an original signature.

January 27, 2020 Date:

Date:  $\frac{1/30/2020}{2020}$ 

By: /s/ Rebecca A. Solarz, Esquire Attorney for Movant

Joseph L. Quinn, Esquire Attorney for Debtors

Scott F. Waterman, Esquire

Chapter 13 Trustee

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Approved by the Court this day of	, 2020. However, the court
retains discretion regarding entry of any furth	ner order.
Date: February 13, 2020	ahry
	Bankruptcy Judge
	Ashely M. Chan